



CITY OF MORGAN HILL

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PLANNING COMMISSION MEETING MINUTES

REGULAR MEETING

JANUARY 8, 2002

PRESENT: Acevedo, Benich, Lyle, Mueller, Sullivan, Weston

ABSENT: McMahon [When questioned by other Commissioners, Chair Sullivan indicated that by the rules of the Commission, Commissioner McMahon was excused and continued as a member in good standing.]

LATE: None

STAFF: Planning Manager (PM) Rowe, Senior Engineer (SE) Creer,
Assistant to the City Manager (ATCM) Eulo, and Minutes Clerk Johnson

Chair Sullivan called the meeting to order at 7:02 p.m.

DECLARATION OF POSTING OF AGENDA

Minutes Clerk Johnson certified that the meeting's agenda was duly noticed and posted in accordance with Government Code Section 54954.2.

OPPORTUNITY FOR PUBLIC COMMENT

Chair Sullivan opened the public hearing.

There being no persons present to address the Commissioners, the public hearing was closed.

MINUTES:

**DECEMBER 4,
2001**

**COMMISSIONERS BENICH/ACEVEDO MOTIONED TO APPROVE THE
DECEMBER 4, 2001 MINUTES WITH THE FOLLOWING AMENDMENTS:**

Page 3, paragraph 5: Mr. Schilling said, "We have responded to the concerns raised by the Commissioners at the last meeting of widening the street approaches to the project. Several directional lanes are now indicated and there will be no encroachment of traffic aisles into landscaped areas." He continued that entrances have been modified in the current plans in response to concerns raised by the Commissioners at the last meeting.

Page 5: Add to Planned Unit Development (PUD) Guidelines: At the railroad tracks, landscaping shall be cut back from 10' to 5' by tapering that length. This is being put into the guidelines as screening for the neighborhood.

Other issues: The retention ponds are indicated to be part of phase 1 and will be built/installed in the parking lot.

Phasing of the project, as described by the applicant, will be permitted with a requirement of occupancy of the commercial or office building(s) being achieved before the fast-food restaurant business permits are issued.

Exterior lights on all buildings will be no greater than 20'.

Signage on the side(s) of retail buildings will be lighted with indirect lighting, shadowed for display purposes, with no back-lighting permitted; no wall mounted lighting shall be allowed for illumination; all illumination for wall signage will be from downlit fixtures. Monument lighting will be permitted for the entrance to the fueling station, with ground-level upward lighting for display.

**Page 9: 1st paragraph: Addand (*only*) a two-week delay was not warranted.
(delete): ...provides a very high density.**

Page 9: Announcements: ~~canceled~~ would not occur as efforts to schedule the meeting had been unsuccessful.

It was noted that in dealing with Item 6, Page 6: The Commission has not indicated acceptance of the project as presented, revised or proposed.

THE MOTION PASSED BY THE FOLLOWING VOTE: AYES: ACEVEDO, BENICH, LYLE, MUELLER, WESTON; NOES: NONE; ABSTAIN: SULLIVAN; ABSENT: MCMAHON.

NEW BUSINESS:

1) ZA-01-19: CONDIT-PUD

A request for approval to amend the PUD, Planned Unit Development District to establish a precise development plan for existing and future commercial uses on properties located on the west side of Condit Rd. between E. Dunne Ave. and Tennant Ave. A negative declaration has been approved as part of a previous city-initiated zoning amendment (September, 2000).

PM Rowe gave the staff report, stating this is one of the five areas which are to be designated as PUDs by the City-initiated process. He noted that first, in this process, there are precise PUD and development agreements, explaining the proposed businesses and zoning designations. PM Rowe said action being requested tonight was for conditional use **under P.U.D.**, which would require further consideration by the Planning Commission, e.g., some issues would come back for further discussion. He indicated that within the Planned Unit Development (PUD) guidelines there are certain permitted uses, indicated in materials given to Commissioners.

The development standards and guidelines are being considered at this time, with several recommended changes/modifications having been distributed to the Commissioners and

discussed with the applicant. Furthermore, PM Rowe stated, that although the overall PUD is being considered now. An individual application for use permit is required for the applicant's project (motorcycle dealership) providing Commissioners the opportunity for further discussion and approval of specific items.

Regarding the PUD guidelines and development plan which had been distributed to the Commissioners, PM Rowe itemized the following (recommended) changes and modifications, while calling attention to other areas of interest: The following changes are recommended to comply with the zoning requirements for PUD districts as established Chapter 18.30 of Zoning Code: Note! Planning Commission recommended changes from the following discussion are also included below.

Page 4, Permitted Uses

Restaurants, Sit down

Wine tasting

Retail uses supportive of hotel uses within the PUD, excluding grocery, supermarket and drug stores

Motels and hotels, a maximum of 65 will be allowed in the PUD.

~~Maximum 80 Room occupancy~~

Arts and crafts galleries

Conference centers, banquet and meeting rooms

Page 4, last paragraph: Inclusion of any of these conditional uses in the PUD shall be allowed only upon granting of a conditional use permit finding that the use will be consistent with the gateway and scenic corridor qualities of this PUD ***and the findings as contained in Section 18.54.050 of the Morgan Hill Municipal Code.*** These findings shall include consideration of the quality of the proposed physical improvements to the site, the extent of outdoor activity on the site that will be visible from public rights of way and the manner in which the use is conducted on the site.

Page 12, #2h.: All exterior wall elevations ~~visible from and/or facing public roadways~~ will have architectural treatment. No building surface ~~on a public roadway~~ will have a flat void surface of more than thirty feet in length without architectural treatment.

Page 13, #18: Vending machines, rides, newspaper racks and any coin-operated devices are not to be placed on the ~~exterior~~ ***outside*** of any buildings in the PUD.

Page 16, #22b: Highway 101 Frontage: Trees shall be installed within 30 foot wide frontage along ~~Condit Road~~ ***Highway 101*** at an average ratio of one (24" box size) tree per 25 lineal feet, with no spacing exceeding ~~40~~ ***30*** feet. Tree compositions shall be in informal massing, not arranged in linear patterns at repeated intervals. Any tree installed in addition to the requirements may be a minimum 15-gallon size. Tree spacing may be increase beyond the minimum with larger tree specimens (36" box size or larger) as approved by the Community Development Department. Tree selection shall consist of ~~(70~~ ***50%***) broadleaf evergreen trees, and ~~(30~~

50%) deciduous trees. Refer to Theme Plant List for species selection.
Refer to Exhibit L-2.

Page 17, #24: Landscaping a minimum of **5 10** feet in width will be placed adjacent to a minimum of 50% of the building's perimeter, except along the perimeter where service and delivery locations occur. Along the side of the building where service and delivery locations occur, an acceptable alternative to placing landscaping along the building will be to increase the property line landscaping from the minimum 5-foot width to 10 feet in width along the entire length of the service and delivery area.

Add #24b: *A minimum of 15 percent of all parking lot areas shall be landscaped. Required setback and perimeter planting areas shall not be counted in this area, but may include the building perimeter landscaping.*

Page 17, #27: Condit Road Frontage shall have not more than ~~60%~~ **35%** turf cover with the balance of ground planting being shrub and ground cover area. Ground cover shall be planted in all "non-turf" planting areas within the 30-foot wide frontage planting area. Refer to Exhibit L-1.

Page 17, #29: All landscape areas provided (with the exception of areas adjacent to public streets *and Highway 101 frontage*) shall have the following minimum widths.
Perimeter property line planters will have a minimum of 5 feet. Combined with the adjacent development the 5-foot width will result in an overall minimum of 10-foot perimeter landscape area. Interior landscape planters shall be provided between contiguous parking stalls at a maximum ratio of one planter per 10 stalls. These planters shall be 10 feet minimum in width, *minimum inside dimension* and include a 1-foot strip of concrete adjacent to the curb on each side of the planter. ~~This will result in a net landscape area of 7 feet.~~
Planters at the end of the parking rows shall be ~~7~~ **10** feet minimum in width *inside dimension* and include a 1-foot wide strip of concrete adjacent to the curb of the automobile side of the planter. ~~This will result in a net landscape area of 5 feet.~~

Page 17, #30: ~~Landscaping along street frontages is to be achieve an undulating 2 feet to 3 feet high screening effect. This may be achieved by a combination of mounding and planting resulting in the undulating screening height. Refer to Exhibit L-1.~~ *All parking areas shall be screened from public view through the use of berming, hedge row planting, grade change or any combination there of. Screening shall be a minimum 3' in height as measured from the top of curb elevation on the higher side, on either the interior or exterior side of the parking lot, at time of installation.*

Page 18, #32: An automatic sprinkler system shall be installed for all landscaped areas. Low flow irrigation systems are encouraged. Water conservation techniques shall be incorporated into all landscape plans. Drought resistant and water conserving plants shall be **considered encouraged.**

Page 18, #34: General parking lot lighting will be consistent throughout the PUD and will be metal halide. The maximum height of the lighting will be ~~28~~ **20** feet. Color of fixture and pole to be dark bronze or black. See Exhibit A-12

Page 18, #38: Parking shall be screened from public view through the use of berming, hedge row planting, shrubs, trees, fences or walls, or any combination thereof, providing that no more than 35% of the total screening shall consist of fences or walls. At time of installation, shrub planting shall be minimum 5-gallon size, **trees shall have a minimum height of eight feet and minimum crown diameter of four feet.**

Page 19, #48: ~~A minimum 5-foot wide walkways or landscaping will be provided around architectural features to provide a visual of pedestrians crossing into the drive aisle from the building fronts.~~ **Parking areas shall be designed to include provision for pedestrian walkways for access to building entrances. Walkways that cross traffic lanes shall have special design features such as raised an/or textured pavement.**

Page 19 - 20, #52a & 52b:

The proposed freeway identification signs shall be ~~a maximum of 55' in height~~ **the lesser of 55' or the city's sign code in effect at time of installation.** Sign height shall be measured from the existing grad at the east right-of-way line of the existing drainage channel abutting the PUD property opposite the sign location.

Each sign may have, and shall be designed and constructed to accommodate, advertising for a maximum of ~~5~~ **4** businesses within the PUD. Each sign may have, and shall be constructed to accommodate a maximum of four (4) panels for signage and logos. The maximum sign area for an individual business shall be ~~200~~ **84** square feet on each side. The combined maximum area for all businesses advertising on one sign shall be ~~800~~ **330** square feet on each side. A maximum of 2 business signs may be placed upon each panel (~~100~~ **84** square feet each). ~~The top sign shall be limited to one (1) business.~~ These signs shall be internally illuminated.

Note: Exhibit A-14 will need to be revised to incorporate the above changes. Staff has also recommended a light weight concrete tile roof instead of the painted sheet metal cap on top of the freeway pylon sign to match with the existing pylon sign (Executive Inn sign) in the PUD district.

Page 19, #53a: The monument sign shall be a maximum 8 feet in height and shall

be located within the 30-foot landscape buffer along Condit Road. ~~The base of this sign may be set upon a 2-foot high mounded berm in which event the top of this sign may be 10 feet above the Condit Road sidewalk opposite the sign location.~~

Page 19, #54: Add to the last sentence of this item the following: "Wall mounted signs and logos ***shall consist of individual channel letters and*** may be internally illuminated."

Page 19, add #55a: ***No signs, promotional posters, banners, etc., shall be displayed in any window of any building within the PUD.***

Also especially noted was : Page 13(development agreement) vending machines are prohibited on the outside of buildings

PM Rowe indicated that all the items previously identified had been discussed with the applicants.

Commissioners asked PM Rowe and SE Creer if Condit is wide enough for two lanes with a median wide enough for landscaping. (SE Creer replied that Condit is a standard 52-~~inch~~ **foot** width, so yes, there is room.) Regarding signals at the corner of Condit and Tennant, the issue of property owners responsibility for cost was raised. It was reported that if the property is directly at the intersection, and improvements are necessary, then most likely the costs would be borne by the property owners. Depending on the results of a study and the degree of impact, property owners may be required to share the responsibility of the costs.

Discussion ensued as questions were raised regarding a potential traffic and circulation study which may indicate that a U-Turn could be prohibited. Concern was expressed as to the layout of the parking lots and buildings; PM Rowe clarified that the information given to Commissioners shows the proposal - it is conceptional at this point - the drawings show possible linkages with an opportunity for further fine tuning. However, he noted, part of the PUD guidelines do set the parking and sizes of buildings, which generally prohibits changes once the PUD guidelines are adopted. Tonight's discussion and potential action will address the issues involved in the business of the miniature golf and motorcycle sales. Any action tonight will result in a precise plan that, once adopted, will remain unless or until it is amended."

Chair Sullivan opened the public hearing.

Daniel Stern, 6410 Camino Verde, San Jose, identified himself as representing the the property owner and offered to answer questions.

With no other persons indicating a wish to speak, the public hearing was closed.

Under discussion, several items were identified as concerns:

- Landscaping

- Curb cuts

- Consistencies of the request/modifications with City policies

- The need for larger buffer areas for businesses along Highway 101

The need to have the curb cuts more clearly defined
Detailing on the back of the buildings (facing the freeway)
Set backs
Possibility of requiring a ~~lesser percentage~~ **35%** of turf landscaping; increasing plantings of drought tolerant species (Proposed guidelines allowed up to 60% turf areas) **L5: keep landscape at 60% at curb cuts**

PM Rowe reminded that §18.54.050 of the Municipal Code, requirements in §C, #4 explain the setback and rights-of-way conditions.

Screening for the project; Commissioners voiced concern regarding the ability to see/not the parking areas from adjacent roadways. It was discussed that a conflict exists when the business owner wants visibility from the freeway, but City leaders ask for increased heights and amounts of landscaping.

PM Rowe reminded that, at this time, guidelines are being set for the PUD, not just the Harley dealership.

In discussion, it was noted that the City Council has set a policy that parked cars should not be visible from the street at the front(s) of businesses. Such parking areas are to be screened, by either buildings or landscaping.

PM Rowe reminded that the Architectural Review Board (ARB) and the City Council will have input into the project, as well. It is important for the Commission to address issues dealing with Highway 101 at the present time.

A concern of the practicality of this goal was that the areas for parking are lower in some areas than the street.

Commissioner Acevedo was excused at 8:10 p.m.

Bill Casson, 2411 Old Crow Canyon Road, #155, asked to speak regarding the turf issue, then saying that a study had indicated the need for harmonious blending of landscape with the significant amount of turf as it now exists on the developed properties in the PUD. He stated that they were willing to blend with adjoining properties and were not adverse to lowering the turf over to 30-35%

In the PUD Guidelines, the item associated with exhibit A6 was addressed. Commissioners requested changes in the roof and vertical wall design so that a sloping/slanting roof with a greater pitch to match others in the area is had. Exhibit A-6 would be revised to indicate a parapet as acceptable to screen roof equipment and a mansard roof (in lieu of a continuous roof screen) as preferred.

In discussion of item H on page 12 of the Development agreement, Commissioners questioned why not all elevations as seen (visible) from 101? It was determined that the wording is consistent with the existing ordinance with the striking of the words *visible from and/or facing public roadways*.

Discussion then developed regarding curb cuts on those properties not being currently developed. Commissioners indicated that shared/joint access to parking areas is very

desirable, and that there is a need to study those issues in total when working on phased developments of PUDs with parking lots. Concern was voiced that if the presented plan is adapted, safety concerns may result; further, it was stated that if the approval was given at this meeting, there would not be opportunity for further review.

Following discussion of the curb cuts, **by consensus, those Commissioners present suggested: 1) that lots A and B would share the curb cut and driveway at the south end of the parking lot (the curb cut which belongs to lot A) 2) lot C would retain a single driveway/curb cut; 3) lots I and J will share a solitary curb cut/driveway to increase efficient ingress/egress; 4) L & M will share a solitary curb cut/driveway to advance effective approach and passage.** It was noted that lots N & O had been previously developed and the entrances would not be changed.

Applicant representative, Vince Burgos, 352 S. Eagle Nest Lane, Danville, stated that the applicant for the miniature golf course have met with staff and gotten information on their views. Mr. Burgos explained factors ingress/egress and spoke of the need to have future developers work together for efficient planning and building.

PM Rowe and SE Creer addressed questions regarding a potential traffic study on Condit following/in conjunction with the building of businesses and the potential increased traffic effects on this road. It was stated that the local street (Condit) was designed to accommodate build out at full capacity.

COMMISSIONER MUELLER OFFERED RESOLUTION NO. 02-01 RECOMMENDING APPROVAL OF A ZONING AMENDMENT (AS AMENDED AND MODIFIED IN THE DISCUSSION AND OUTLINED IN THE NARRATIVE ABOVE) TO ESTABLISH A PRECISE DEVELOPMENT PLAN AND DESIGN GUIDELINES FOR A P.U.D. DISTRICT ON THE WEST SIDE OF CONDIT ROAD BETWEEN DUNNE AND TENNANT AVENUES. THE MOTION WAS SECONDED BY COMMISSIONER WESTON WHO REQUESTED THE INCLUSION OF STANDARD CONDITION, PAGE 3, E3, AS WELL. THE MOTION PASSED BY THE FOLLOWING VOTE: AYES: BENICH, LYLE, MUELLER, SULLIVAN, WESTON; NOES: NONE; ABSTAIN: NONE; ABSENT: ACEVEDO, MCMAHON.

**2) ZA-01-12/
SD-01-06:
CENTRAL-
CENTRAL PARK**

A request for approval of a precise development plan for the "Central Park" development located on north side of Central Ave., south of the Morgan Hill Business Ranch. Also, requested in the approval is a fifteen lot subdivision application, which will represent PH V of the Cental Park development located in the R-1 7,000/RPD and R-2 3,500/RPD zoning district. A mitigated negative declaration is proposed for the project.

PM Rowe reported that the request is for a precise development plan amendment (zoning amendment) on 11.51 acres consisting of two parcels and subdivision of a portion of the two parcels to allow for the construction of eighteen (18) residential single-family homes by South Valley Developers within phase V of the Central Park Development. PM Rowe continued that the zoning amendment being considered at the present time would modify the precise development plan approved for phases I, II, III, and IV, incorporating the remaining of the project in order to include phase V. Subdivision approval would allow for the creation of the lots for phase V. A mitigated Negative Declaration had been distributed for consideration to the Commissioners. In examining the standard conditions,

PM Rowe called attention to the deletion of item 8 on page 3, and item 3 on page 17. He also noted that in Other conditions L1 was in conflict with page 4 of the zoning amendment should be checked. Commissioners asked if on page 13, items 18, 19 and 26 should be checked; PM Rowe responded that the Fire Department had reviewed the documents and it would have been their responsibility to identify those items for necessary statement attention. It was pointed out that #28 covers and supercedes item #30. Items 35, 36, and 39 were identified as having the need to be checked as well.

Chair Sullivan opened the public hearing.

Scott Schilling, 665 E. Central Ave., representing the applicant, questioned two conditions as presented: A) Page 2, item 2 which require the CC&Rs and By-laws to be reviewed by the City Attorney before approval of the final map, noting that the CC&Rs and the By-laws have been in place for seven years and are a requirement of new dwelling inhabitants as this phase of development is completed **Commissioners agreed this should not be checked at the present time** and B) page 7, item 5 was checked noting fire sprinklers are needed. Mr. Schilling stated that he has always worked under current codes, will continue to do so, and this is not a code requirement. **Commissioners agreed this should be removed at the present time after PM Rowe explained it had been checked in error.** PM Rowe also provided explanation of the time frames of approvals dealing with the development.

With no other persons present to address the issue, the public hearing was closed.

COMMISSIONERS MUELLER/WESTON MOTIONED APPROVAL OF THE MITIGATED NEGATIVE DECLARATION, AS PRESENTED. THE MOTION PASSED BY THE FOLLOWING VOTE: AYES: BENICH, LYLE, MUELLER, SULLIVAN, WESTON; NOES: NONE; ABSTAIN: NONE; ABSENT: ACEVEDO, MCMAHON.

COMMISSIONERS MUELLER/WESTON MOTIONED APPROVAL OF RESOLUTION NO. 02-02, RECOMMENDING APPROVAL OF A ZONING AMENDMENT TO ESTABLISH A PRECISE DEVELOPMENT PLAN FOR THE EIGHTEEN UNIT PHASE V PORTION OF THE SINGLE-FAMILY RESIDENTIAL PLANNED DEVELOPMENT KNOWN AS "CENTRAL PARK" LOCATED ON 11.51 ACRES ON THE NORTH SIDE OF CENTRAL AVENUE ON THE SOUTHERNLY EXTENSION OF BUENA VISTA. THE MOTION PASSED BY THE FOLLOWING VOTE: AYES: BENICH, LYLE, MUELLER, SULLIVAN, WESTON; NOES: NONE; ABSTAIN: NONE; ABSENT: ACEVEDO, MCMAHON.

COMMISSIONERS MUELLER/WESTON MOTIONED APPROVAL OF RESOLUTION NO. 02-03 APPROVING AN 18-LOT SUBDIVISION ON A PORTION OS A 11.51-ACRE SITE, LOCATED ON THE NORTH SIDE OF CENTRAL AVENUE - SOUTH OF MORGAN HILL BUSINESS PARK WITH THE MODIFICATIONS AS OUTLINED AND STATED IN THE DISCUSSION. THE MOTION PASSED BY THE FOLLOWING VOTE: AYES: BENICH, LYLE, MUELLER, SULLIVAN, WESTON; NOES: NONE; ABSTAIN: NONE; ABSENT: ACEVEDO, MCMAHON.

- 3) DAA-00-13:** A request for a development agreement amendment extending the deadline to pull building permits for a 5-lot subdivision from 12/30/01 to 6/30/02.
NINA LANE-SHAW

PM Rowe presented the staff report, clarifying that the required deadline to obtain building permits was December 31, 2001; staff was unable to timely notice the Planning Commission and City Council meetings, as the request for the ELBA was received on November 27, 2001. The ELBA was considered and granted at the City council meeting December 12, 2001 which extended the ELBA for six months to June 30, 2002. The action tonight is for the review and provision of recommendation to the City Council on the development agreement amendment. He continued that the applicant is currently processing the final parcel map/improvement plans and has submitted building permit applications, which are currently in the plan review process. A second plan check by January 4, 2002 has been anticipated with such review generally requiring 2 - 3 weeks; consequently, commencement of construction would be projected to be early February, 2002. PM Rowe called attention to a letter received from MH Engineering noting that item 2 has information regarding negotiations which are private and do not involve the City.

Chair Sullivan opened the public hearing.

John A. Marquez, 16665 Nina Lane, proposed to answer questions.

There being no others expressing a wish to speak, the public hearing was closed.

COMMISSIONERS MUELLER/BENICH OFFERED RESOLUTION NO 02-04 RECOMMENDING APPROVAL OF DEVELOPMENT AGREEMENT AMENDMENT APPLICATION DAA-00-13 BETWEEN DAN SHAW AND THE CITY OF MORGAN HILL FOR THE CONSTRUCTION OF FIVE MEASURE P UNITS LOCATED AT 16665 NINA LANE, SOUTH OF SAN PEDRO AVENUE. THE MOTION PASSED BY THE FOLLOWING VOTE: AYES: BENICH, LYLE, MUELLER, SULLIVAN, WESTON; NOES: NONE; ABSTAIN: NONE; ABSENT: ACEVEDO, MCMAHON.

OTHER BUSINESS:

**4) FIRE
MASTER
PLAN**

ATCM Eulo presented the staff report, noting the draft document had been distributed to the Commissioners. He provided background for the plan, indicating that the emphasis was on looking at future fire suppression/increased response/enhanced citizen training. ATCM Eulo reviewed the key recommendations and goals (pages 6 and 7), stating that the Committee had good representation of community members, including Commissioner Mueller. Providing information of why the recommended change from 4,500 sf to 3,000 sf for requiring sprinklering of dwellings, he indicated that increased development costs had been considered, but those costs were reflective of market conditions.

Chair Sullivan opened the public hearing.

Richard B. Oliver, 275 Saratoga Ave., #105, Santa Clara, was present to speak in opposition to portions of the plan, noting he was representing Rocke Garcia and

representatives of Warmington Homes as well. Mr. Oliver said he had been on the Task Force six years ago when the fire issue was studied and went on to explain the rationale for choosing the 4,500 sf figure for sprinkler requirements: the exclusion of garage measurements from dwelling space. At that time (6 years ago), Mr. Oliver reported, it was discussed that the finishing of houses under Measure P would assist in fire suppression by having the inclusion of requirements that 50% of the outside surface must be stucco and the roofs be clay tile.

With no others present to address the issue, the public hearing was closed.

Commissioners engaged in discussion of the issue with Commissioner Lyle saying overall the report was a good one. "However," he stated, "there is need for improvement in the presentation of information, i.e., page 11(table) information which was presented is not useful as it does not correlate with what is actually happening." He continued that on page 9 a rating of 4 was indicated with no explanation provided. Page 63 shows a demand for service as 11% per year, while City-projections indicate a 15% residential growth rate per year, thus the numbers understate the real need of having fire companies doubled in specified years. Another problem, Commissioner Lyle said, is that the houses which are now in existence are getting older so the 'picture' presented in the report is skewed.

Commissioners spoke of the upcoming traffic study on the east side of the City, noting that the northeast portion of the City is under served and that part of the traffic study should look closely at possible road changes which could be beneficial in Fire Department response time(s).

During discussion, the Commissioners spoke of the locations of the fire stations, asking questions of the methods of choosing the future locations of new facilities. Indicating they approved of the current listings as presented, Commissioners said that if more stations are projected for the future, there may be a need to rethink the suggested locations. The major question regarding placement of stations, it was indicated, is: what can be done to enhance the ability for fire service on the hill as this appears to be a definitely under served area. The creation of fire access roads in the hill area was discussed.

ATCM Eulo was asked to address the reference in the report to the creation of a parafirefighter personnel pool. He responded that several suggestions had been made: have a 4th person on staff as a first responder; creation of an enhanced citizen self-help core squad for designated areas; extension of the volunteer program. ATCM Eulo also directed attention to the CA OSHA rule of 2 in / 2 out in the realm of safety issues.

Attention turned to the increased fire sprinkler requirement in the report which centers on decreasing the square footage for dwellings from 4,500 to 3,000. Commissioner Mueller reported that the issue was driven by response time; the standard response time is set at being within 5 minutes. In actuality, he said, it is 7 - 8 minutes. The real issue with that, Commissioner Mueller reported, is that a 'flash over' occurs within that 7 - 8 minute window; and once a flash over hits, major damage occurs. The times indicated, he emphasized, does not include setup time for the fire companies nor the time allotment for human and critter escape.

Consideration of the cost of new fire facility installation versus the cost of sprinklering

was deliberated, with cost effectiveness being emphasized. Commissioner Benich stated he doesn't think the data supports the decreased recommendation of square footage. He questioned the risk/benefit analysis.

Commissioner Mueller responded that it boils down to a safety/responsibility issue: what is the responsibility of the City to protect its citizens? Both commissioners Mueller and Lyle stated the plan should be 'response time driven', emphasizing that the response time must be what can be reasonably expected. "What is the right thing for the City to do?" questioned Commissioner Mueller. "All multi-family units must be sprinklered; if it is a single-family dwelling, why is it not sprinklered?; why treat detached single family dwellings differently? - that is the question," Commissioner Mueller contemplated.

Insert: Commissioner Lyle expressed severe misgivings regarding the potential for increased costs of thousands of dollars for upkeep and maintenance of City facilities should the recommendations be adopted.

COMMISSIONERS MUELLER/WESTON MOTIONED TO FORWARD THE REPORT TO THE CITY COUNCIL WITHOUT RECOMMENDATION, AND CONTAINING THE COMMENTS:

COMMISSIONERS BENICH AND SULLIVAN OBJECT TO THE INCREASE OF A 4,500 SQ FT REQUIREMENT FROM 3000 SQ FT, AND COMMISSIONER MUELLER INDICATING THAT THE PLAN SHOULD BE 'RESPONSE TIME DRIVEN'. THE MOTION CARRIED BY THE UNANIMOUS VOTE OF THE COMMISSIONERS PRESENT, WITH ACEVEDO AND McMAHON ABSENT.

Commissioner Acevedo returned to the meeting at 10:29 p.m. and was seated on the dias.

**5) METHOD-
OLOGY FOR
ASSIGNING
POINTS FOR
OVERALL
PRODUCT
EXCELLENCE
UNDER THE
QUALITY OF
CONSTRUCTION
CATEGORY OF
MEASURE P**

PM Rowe presented the staff report, stating that the item had been mistakenly identified for discussion as being in the "Orderly and Contiguous Category" when it was actually **Quality of Construction**. He reminded that the scoring for the current component of the Measure P competition would begin February 26 at the regularly scheduled Commission meeting.

Because of the lateness of the hour, Commissioners asked that the matter be placed on the next meeting's agenda at 6 p.m. for decision prior to the scheduled joint workshop on January 15, which is scheduled to begin at 7 p.m.

ANNOUNCEMENTS:

Commissioner Mueller reported attendance at the County Planning Commission meeting where the matter of a use permit for a golf driving range complex proposed for the Tennant and Murphy area (adjacent to the City) was heard. Although the matter was denied 4 - 3, Commissioner Mueller emphasized that the South County representative to the County Planning Commission appeared highly supportive of the project. Continuing, he said, "I expect that, if the matter has not already been appealed, it probably will be."

He also speculated that if the use permit is not granted, ~~the County may initiate proceedings for a General Plan Zone change so a use permit issuance will be easier~~ **the applicant may initiate proceedings for a General Plan Zone change; if that passes, it make use permit issuance will be easier..**

PM Rowe offered Commissioners the opportunity to review the draft Supplemental draft EIR prepared for the new high school on the Sobrato land, noting that the new school location it is within the City's Sphere of influence, but out of the greenbelt area.

Commissioner Mueller requested an opportunity to review and comment on the Highway 101 plan supplement to the EIR regarding the addition of lanes 7 and 8. (Two additional high occupancy vehicle lanes) PM Rowe indicated that he would make the report available to the Commission.

ADJOURNMENT: There being no further business, Chair Sullivan adjourned the meeting at 10:50 p.m.

MINUTES RECORDED AND PREPARED BY:

JUDI H. JOHNSON, Minutes Clerk